

ATTACHMENT 1

COMPLAINT FORM

(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

2016 JUN 16 P 1:51

JON W. SANFILIPPO
CLERK

(Full name of plaintiff(s))

KEITH S. BETTS

v.

Case Number: 16-C-0734

(Full name of defendant(s))

(to be supplied by Clerk of Court)

Christopher Schm-

aling, Captain Wear-

ing, Health Care

Provider, Medical Manager, JANE Doe,
And Doctor, Butler.

A. PARTIES

1. Plaintiff is a citizen of Wisconsin, and is located at
(State)

717 Wisconsin Ave Racine, WI 53403
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

Attachment One (Complaint) - 1

A. Parties

Defendant: Captain Wearing is a citizen of Wisconsin; Address unknown. Defendant worked for the Racine County Sheriff Department, 717 Wisconsin Ave. Racine, WI 53403

Defendant: Health Care Provider for The Racine County Jail is a private corporation of unknown state. Defendant worked for the Racine County Sheriff Department, 717 Wisconsin Ave. Racine, WI 53403

Defendant: Medical Manager, Name

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A. Parties

UNKNOWN: IS A CITIZEN OF WISCONSIN:

Address UNKNOWN. Defendant worked

For Private Health Care Provider.

Employer's Name And Address UNKNOWN/

Private Health Care Provider, Employed By

the RACINE COUNTY SHERIFF Department

717 WISCONSIN AVE, RACINE, WI 53403

Defendant: JANE DOE, NAME UNKNOWN

IS A CITIZEN OF WISCONSIN: Address

UNKNOWN. Defendant worked For

Private Health Care Provider.

Employer's Name And Address UNKNOWN/

Private Health Care Provider, Employed

By the RACINE COUNTY SHERIFF Department

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A. Parties

717 Wisconsin Ave. Racine, WI 53403

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2. Defendant Christopher Schmaling, Sheriff (Name)
is (if a person or private corporation) a citizen of Wisconsin (State, if known)
and (if a person) resides at UNKNOWN (Address, if known)
and (if the defendant harmed you while doing the defendant's job)
worked for BACINE COUNTY Sheriff Dept. 717
WISCONSIN AVE, BACINE, WI 53403 (Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

PLAINTIFF IS A Pre Trial Detainee
At the BACINE COUNTY Jail.
Christopher Schmaling, Sheriff
BACINE COUNTY, WI, "HAS AN OBLIG-
ATION to provide Adequate Med-
ICAL CARE For those it is Punish-
ing by Incarceration". Plaintiff
Charges this Defendant with
deliberate indifference to A

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SERIOUS MEDICAL NEED. THE DEFENDANT KNOWS OF A SERIOUS RISK TO PLAINTIFF'S HEALTH, BUT HAS RESPONDED INEFFECTUALLY BY DEPARTING SUBSTANTIALLY FROM ACCEPTED PROFESSIONAL JUDGEMENT, OR NOT AT ALL. DEFENDANT ACTION(S) VIOLATE THE CRUEL AND UNUSUAL PUNISHMENTS CLAUSE OF THE EIGHT AMENDMENT, DEEMED APPLICABLE TO STATE ACTION BY INTERPRETATION OF THE DUE PROCESS CLAUSE OF THE FOURTEENTH AMENDMENT.

DEFENDANT'S HEALTH CARE PROVIDER:
ON 3/29/16, PLAINTIFF SENT AN INMATE REQUEST FOR MEDICAL ATTENTION NOTIFYING DEFENDANT OF THE PAIN THAT PLAINTIFF

continued to endure due to the hole in
"his" tooth, which caused a severe tooth-
ache. PLAINTIFF requested to be seen
by medical staff. PLAINTIFF was
eventually seen by a nurse. However,
PLAINTIFF was never examined by a
doctor Butler who prescribed me
Ibuprofen and antibiotics for approx-
imately one week. On 4/1/16, PLAINTIFF
sent an inmate request for medical
attention notifying defendant of the
severe pain from a hole / cavity in his
tooth and painful sore on his lower
right leg. PLAINTIFF had been sub-
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mitting Inmate Request For Medical Attention / Treatment For Approximately 10 Days, And still had not been by Medical Staff At the Racine County Jail, Plaintiff continued to Suffer in pain And Injury due to the Inadequate Medical Care / Treatment provided by Health Care providers contracted by the Racine County Sheriff's Department. ON 4/9/16, Plaintiff sent AN Inmate Request For Medical Attention letting Defendant know that Plaintiff continued to Suffer in severe pain due to his tooth having a

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A hole in it And tooth being infected.
Defendant knew that Plaintiff was
an Insulin dependent Diabetic.
Plaintiff had been enduring this
since 3/15/16. ON 4/10/16; Plaintiff
sent an Inmate Request to the
Medical Manager Requesting a copy
of Medical Records from 1/16/16 -
4/11/16; And the name of the name of
Medical Doctor employed by Health
care providers who ordered Ibupro-
fen and Antibiotics without ever
examining Plaintiff. ON 5/12/16;
Plaintiff sent an Inmate Request
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FOR MEDICAL ATTENTION FOR THE SEVERE PAIN CAUSED BY THE INFECTED TOOTH ON 5/23/16; PLAINTIFF SENT AN INMATE REQUEST FOR MEDICAL ATTENTION/ COMPLAINT LETTING DEFENDANT KNOW THAT PLAINTIFF HAD NOT RECEIVED HIS DIABETIC NEUROPATHY MEDICATION FOR THREE DAYS AND THE BURNING AND STABBING PAIN WAS INTENSIFYING IN PLAINTIFF'S FEET(S) AND LEG(S)

ON 5/24/16, PLAINTIFF, WAS SEEN BY A DENTIST AND HAD TOOTH EXTRACTED.

DEFENDANT: JANE DOE, IS A CITIZEN OF WISCONSIN, ADDRESS
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UNKNOWN: WORKED FOR PRIVATE HEALTH
CARE PROVIDER, EMPLOYER'S NAME AND
ADDRESS UNKNOWN. EMPLOYED BY THE
BACINE COUNTY SHERIFF DEPARTMENT
717 WISCONSIN AVE, BACINE, WI 53403

ON THE MORNING OF 3/15/16, PLAINTIFF
WENT TO THE LAW LIBRARY, LOCATED IN
THE BACINE COUNTY JAIL. UPON RE-
TURNING ("40 CELL BLOCK") AT 10:20 AM., PLAINTIFF
REQUESTED HIS PRESCRIBED DIABETIC
NEUROPATHY AND OTHER MEDICATIONS
THAT PLAINTIFF WAS SUPPOSED TO BE
GIVEN ON THE MORNING OF 3/15/16.
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Deputy Sheriff "Chiapete" called Nurse "Jane Doe" / Medical Staff, and left messages on Medical Staff telephone to bring Plaintiff his morning medication. At 3:10 P.M. on 3/15/16; Nurse "Jane Doe" came to "4D-Cellblock" and stated that it was too "late" to provide Plaintiff with all his prescribed medications, thus causing Plaintiff to suffer in severe pain and injury from "diabetic neuropathy", and an infected tooth.

Denial of Adequate Medical
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CARE/Medication constitutes Cruel
And Unusual punishment.

Defendant: "Medical Managers"
is a citizen of Wisconsin, Address
UNKNOWN, Worked For Private Health
Care provider, Employer's Name
And Address UNKNOWN. Employed by
the Racine County Sheriff Depart-
ment, 717 Wisconsin Ave. Racine, WI
53403

ON 3/15/16; PLAINTIFF Filed A
Complaint with the "Medical Staff
Managers" About the Denial of his

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prescribed medications). "Medical Managers" Failed to Act in Plaintiff's best interest which involved the unnecessary and wanton infliction of pain by the "Medical Managers" Failure to insure that Plaintiff received his prescribed medications.

ON 5/23/16, Filed a inmate Request For Medical Attention / Complaint Letting Defendant: "Medical Managers" know that Plaintiff had not received his "Diabetic Neuropathy" medication in three days, and that the

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Burning And Stabbing pain was
starting to intensify in Plaintiff's
Feet and legs.

Defendant: Captain Wearing,
is a citizen of Wisconsin, Address
Unknown. Worked for the Racine
County Sheriff's Department, 717
Wisconsin Ave., Racine, WI 53403

On 3/31/16, Plaintiff Filed an Imate
complaint with Captain Wearing, "stating
that Plaintiff had requested medical
attention on 3/24/16, and had not been

Seen as of 3/31/16. Plaintiff in Form
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Defendant that Plaintiff continued to suffer in severe pain due to a hole/cavity in one of his teeth.

Plaintiff also informed Captain Wearing of the inadequate medical care/treatment by the medical staff here at the Racine County Jail.

On 4/1/16; Plaintiff filed an inmate complaint informing Captain Wearing that Plaintiff had sent an inmate request for medical attention/treatment over a week ago, "and still had not been seen by medical

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STAFF AT the Racine County Jail as of 4/1/16. In Plaintiff's complaint to Captain Wearing on 4/1/16, Plaintiff informed Captain Wearing that Plaintiff continued to suffer in severe pain from hole/cavity in his tooth, and that Plaintiff was still being denied adequate medical care/treatment, "which constituted cruel and unusual punishment by Defendant".

On 5/23/16, Plaintiff filed an inmate complaint with Captain Wearing. Informing Captain Wearing
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that PLAINTIFF, "had not received" his
"Diabetic Neuropathy" medication in Four
(4) Days; And that PLAINTIFF WAS SUFFER-
ING FROM burning AND stinging pain in
his Feet AND legs FROM not being
Given his prescribed medication by
the Medical STAFF At the Racine
County Jail.

ON 4/15/16; PLAINTIFF Filed AN IN-
MATE COMPLAINT WITH CAPTAIN WEARING
Requesting that PLAINTIFF be Given
Ample time in the Law Library to
Research And Litigate "his" Legal Issues.

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PLAINTIFF INFORMED CAPTAIN WEARING
THAT PLAINTIFF HAS USE OF THE LAW
LIBRARY ONCE EVERY TWO WEEKS FOR
APPROXIMATELY THIRTY (30) MINUTES AT A
TIME. PLAINTIFF INFORMED CAPTAIN
WEARING, "THAT THE LAW LIBRARY AT THE
RACINE COUNTY JAIL IS INADEQUATE," AS IT
DOES NOT CONTAIN THE IMPORTANT TOOLS
FOR BASIC LEGAL RESEARCH, "NOR DOES IT
PROVIDE ANYONE TRAINED IN LAW TO HELP OR
ASSIST INMATES". NOR IS THIRTY (30)
MINUTES EVERY TWO WEEKS ADEQUATE
TIME TO RESEARCH AND LITIGATE "HIS"
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Legal Issues). Captain Weening, "has responded to inmate complaints filed on 3/31/16; And 4/1/16.

Government Actors may be liable for the constitutional violations that another committed, if the actors "set in motion a series of events that the defendants knew or reasonably should have known would cause others to deprive the plaintiff of his constitutional rights", thus establishing the "requisite causal connection" between the government actors

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conduct and a plaintiff's constitutional deprivations.

The Due Process Clause of the

Fourteenth Amendment secures the right of "reasonable access to the courts."

Captain Wearing has failed to protect plaintiffs, and because of this failure/negligence plaintiff suffered pain and injury.

Defendant, Doctor Butler, is a citizen of Wisconsin, address unknown, employed for private health care provider.

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Employer's Name And Address Unknown,
Employed by the Racine County Sheriff's
Department 717 Wisconsin Ave, Racine,
WI 53403

ON Numerous Occasion Plaintiff
Requested to be seen by "Medical
Personnel" See Exhibits "A" - "H" "M".
Doctor Butler Failed to examine Plain-
tiff at all before ordering inade-
quate treatment for Plaintiff's pain
and injury.

Plaintiff has Exhausted his Ad-
ministrative Remedies to All Claims
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contained in this 42 U.S.C. § 1983 Filing.

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C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

I Am Suing Christopher Schmalings,
Sheriff of Racine County, WI, For
\$150,000 in his individual and
Official Capacity.

I Am Suing Captain Weaving, For
\$150,000 in his individual and
Official Capacity.

I Am Suing Health Care Providers,
For \$150,000 in their individual and
Official Capacity.

I Am Suing Medical Managers,

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RACINE COUNTY JAIL, For \$150,000, in "her"

Individual And Official Capacity.

I Am Suing JANE DOE, RACINE COUNTY JAIL,

For \$150,000, in "her" Individual And Official

Capacity.

I Am Suing Doctor Butler, Racine

County Jail, For \$150,000; in "his"/"her"

Individual And Official Capacity.

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E. JURY DEMAND

☒ Jury Demand – I want a jury to hear my case.

OR

☐ Court Trial – I want a judge to hear my case.

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 6th day of JUNE 2016.

Respectfully Submitted,

Geeth S. Betta
Signature of Plaintiff

63714
Plaintiff's Prisoner ID Number

717 Wisconsin Ave.
Racine, WI 53403
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.

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